

§ 21.171 Applicability.

This subpart prescribes procedural requirements for the issue of airworthiness certificates.

§ 21.173 Eligibility.

Any registered owner of a U.S.-registered aircraft (or the agent of the owner) may apply for an airworthiness certificate for that aircraft. An application for an airworthiness certificate must be made in a form and manner acceptable to the Administrator, and may be submitted to any FAA office.

[Amdt. 21-26, 34 FR 15244, Sept. 30, 1969]

§ 21.175 Airworthiness certificates: classification.

(a) Standard airworthiness certificates are airworthiness certificates issued for aircraft type certificated in the normal, utility, acrobatic, commuter, or transport category, and for manned free balloons, and for aircraft designated by the Administrator as special classes of aircraft.

(b) Special airworthiness certificates are primary, restricted, limited, light-sport, and provisional airworthiness certificates, special flight permits, and experimental certificates.

[Amdt. 21-21, 33 FR 6858, May 7, 1968, as amended by Amdt. 21-60, 52 FR 8043, Mar. 13, 1987; Amdt. 21-70, 57 FR 41368, Sept. 9, 1992; Amdt. 21-85, 69 FR 44861, July 27, 2004]

§ 21.177 Amendment or modification.

An airworthiness certificate may be amended or modified only upon application to the Administrator.

§ 21.179 Transferability.

An airworthiness certificate is transferred with the aircraft.

§ 21.181 Duration.

(a) Unless sooner surrendered, suspended, revoked, or a termination date is otherwise established by the Administrator, airworthiness certificates are effective as follows:

(1) Standard airworthiness certificates, special airworthiness certificates—primary category, and airworthiness certificates issued for restricted or limited category aircraft are effective as long as the maintenance, preventive maintenance, and al-

terations are performed in accordance with Parts 43 and 91 of this chapter and the aircraft are registered in the United States.

(2) A special flight permit is effective for the period of time specified in the permit.

(3) A special airworthiness certificate in the light-sport category is effective as long as—

(i) The aircraft meets the definition of a light-sport aircraft;

(ii) The aircraft conforms to its original configuration, except for those alterations performed in accordance with an applicable consensus standard and authorized by the aircraft's manufacturer or a person acceptable to the FAA;

(iii) The aircraft has no unsafe condition and is not likely to develop an unsafe condition; and

(iv) The aircraft is registered in the United States.

(4) An experimental certificate for research and development, showing compliance with regulations, crew training, or market surveys is effective for 1 year after the date of issue or renewal unless the FAA prescribes a shorter period. The duration of an experimental certificate issued for operating amateur-built aircraft, exhibition, air-racing, operating primary kit-built aircraft, or operating light-sport aircraft is unlimited, unless the FAA establishes a specific period for good cause.

(b) The owner, operator, or bailee of the aircraft shall, upon request, make it available for inspection by the Administrator.

(c) Upon suspension, revocation, or termination by order of the Administrator of an airworthiness certificate, the owner, operator, or bailee of an aircraft shall, upon request, surrender the certificate to the Administrator.

[Amdt. 21-21, 33 FR 6858, May 7, 1968, as amended by Amdt. 21-49, 44 FR 46781, Aug. 9, 1979; Amdt. 21-70, 57 FR 41368, Sept. 9, 1992; Amdt. 21-85, 69 FR 44861, July 27, 2004]

§ 21.182 Aircraft identification.

(a) Except as provided in paragraph (b) of this section, each applicant for an airworthiness certificate under this subpart must show that his aircraft is identified as prescribed in § 45.11.

(b) Paragraph (a) of this section does not apply to applicants for the following:

- (1) A special flight permit.
- (2) An experimental certificate for an aircraft not issued for the purpose of operating amateur-built aircraft, operating primary kit-built aircraft, or operating light-sport aircraft.
- (3) A change from one airworthiness classification to another, for an aircraft already identified as prescribed in §45.11.

[Amdt. 21–13, 32 FR 188, Jan. 10, 1967, as amended by Amdt. 21–51, 45 FR 60170, Sept. 11, 1980; Amdt. 21–70, 57 FR 41368, Sept. 9, 1992; Amdt. 21–85, 69 FR 44862, July 27, 2004]

§21.183 Issue of standard airworthiness certificates for normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; and special classes of aircraft.

(a) *New aircraft manufactured under a production certificate.* An applicant for a standard airworthiness certificate for a new aircraft manufactured under a production certificate is entitled to a standard airworthiness certificate without further showing, except that the Administrator may inspect the aircraft to determine conformity to the type design and condition for safe operation.

(b) *New aircraft manufactured under type certificate only.* An applicant for a standard airworthiness certificate for a new aircraft manufactured under a type certificate only is entitled to a standard airworthiness certificate upon presentation, by the holder or licensee of the type certificate, of the statement of conformity prescribed in §21.130 if the Administrator finds after inspection that the aircraft conforms to the type design and is in condition for safe operation.

(c) *Import aircraft.* An applicant for a standard airworthiness certificate for an import aircraft is entitled to that certificate if—

- (1) The aircraft is type certificated in accordance with §21.21 or §21.29 and produced under the authority of another State of Manufacture;
- (2) The State of Manufacture certifies, in accordance with the export provisions of an agreement with the United States for import of that air-

craft, that the aircraft conforms to the type design and is in condition for safe operation; and

(3) The FAA finds that the aircraft conforms to the type design and is in condition for safe operation.

(d) *Used aircraft and surplus aircraft of the U.S. Armed Forces.* An applicant for a standard airworthiness certificate for a used aircraft or surplus aircraft of the U.S. Armed Forces is entitled to a standard airworthiness certificate if—

(1) The applicant presents evidence to the FAA that the aircraft conforms to a type design approved under a type certificate or a supplemental type certificate and to applicable Airworthiness Directives;

(2) The aircraft (except an experimentally certificated aircraft that previously had been issued a different airworthiness certificate under this section) has been inspected in accordance with the performance rules for 100-hour inspections set forth in §43.15 of this chapter, or an equivalent performance standard acceptable to the FAA, and found airworthy by—

- (i) The manufacturer;
- (ii) The holder of a repair station certificate as provided in Part 145 of this chapter;
- (iii) The holder of a mechanic certificate as authorized in Part 65 of this chapter; or
- (iv) The holder of a certificate issued under Part 121 of this chapter, and having a maintenance and inspection organization appropriate to the aircraft type; and

(3) The FAA finds after inspection, that the aircraft conforms to the type design, and is in condition for safe operation.

(e) *Noise requirements.* Notwithstanding all other provisions of this section, the following must be complied with for the original issuance of a standard airworthiness certificate:

(1) For transport category large airplanes and jet (turbojet powered) airplanes that have not had any flight time before the dates specified in §36.1(d), no standard airworthiness certificate is originally issued under this section unless the Administrator finds that the type design complies with the